

DHSMV - Motorist Services
2013-2014 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking
15A-3.005	SR-22/FR44 Filings, Original Policy	Rule Amendment	Update/Add Incorporated Material		Insurance companies must provide the Department a certificate of liability form (SR22/FR44) within 15 days except in hardship cases	Insurance companies must provide the Department SR-22/FR44 electronically within 15 days except in hardship cases where we will accept the paper copy.
15A-3.006	Proof of Insurance	Rule Amendment	Statutory Mandate (federal or state) (Include effective date)	Effective 7-1-13	Insurers shall furnish proof of purchase cards in paper format to insured and describes the format	Insurers shall provide proof of purchase cards in paper or electronic format to insured and describes the format
15A-3.011	Self-Insurance	Rule Amendment	Update/Add Incorporated Material		Provides details on how to obtain self insurance and what the self insurance certificates look like.	Removed statute verbiage
15A-3.014	Security Deposited with the Department of Highway Safety and Motor Vehicles	Rule Amendment	Update/Add Incorporated Material		Provides details with respect to security deposits provided with claims to injuries or damages related to a crash that results in a financial responsibility case.	Removed statute verbiage
15A-3.015	Reinstatement Fees	Rule Amendment	Statutory Mandate (federal or state) (Include effective date)	Remove 627.733 and add 324.0221 effective 07/01/13	Provides details on reinstatement fees related to financial responsibility cases	Removes 627.733 from the statutes and references 324.0221 which we reference for reinstatement fees.
15A-3.016	Vehicles License Plate Seizure	Rule Amendment	Statutory Mandate (federal or state) (Include effective date)	Remove 627.733 and add 324.0221 effective 07/01/13	Authorizes law enforcement to seize license plates 30 days after suspension	Removes 627.733 from the statutes and references 324.0221 which we reference for reinstatement fees.
15A-3.017	Immediate Suspensions	New Rule	Statutory Mandate (federal or state) (Include effective date)		Certain convictions, cancellations and denials will cause an immediate suspension	Creating a rule to enforce that certain convictions, cancellations and denials will cause an immediate suspension

DHSMV - Motorist Services
2013-2014 Annual Regulatory Plan

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15A-8.002	Definitions	Rule Amendment	Update Rule	None	Covers definitions for this rule.	Update and add definitions.
15A-8.006	Course Approval	Rule Amendment	Statutory Mandate	None	Approval Criteria for ADI and BDI courses	Updating minimum course content criteria, effectiveness study criteria, establish course update criteria, ensure all class room courses are offered at locations free of distractions and accessible to most applicants. Disclosure of all fees associated with the course.
15A-8.0061	Traffic Law and Substance Abuse Education Course	Rule Amendment	Statutory Mandate	None	Approval Criteria for TLSAE courses	Updating minimum course content criteria, effectiveness study criteria, establish course update criteria, ensure all class room courses are offered at locations free of distractions and accessible to most applicants.
15A-8.007	Course Conduct - BDI and ADI Courses	Rule Amendment	Statutory Mandate	None	ADI and BDI course conduct, Certificate Issuance, and listing the schools that are contracted with each course provider.	Defining a oversight plan for new and existing course providers to provide effective oversight of their programs.
15A-8.008	Assessment Fee Collection And Reporting - BDI and ADI Courses	Rule Amendment	Statutory Mandate	None	Assessment Fee collection	This change updates the rule to reflect the modified statutory requirement.
15A-11.005	Program of Instruction	Rule Amendment	Update Rule	None	Covers the requirements for the program of instruction given to the student.	Updating the requirements and structure for programs of instruction given to the student.

DHSMV - Motorist Services
2013-2014 Annual Regulatory Plan

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15A-11.006	CDS Instructor Certificate Application and Renewal	Rule Amendment	Update Rule	None	Covers the instructor original application and renewal	Updating instructor training requirements, incorporating forms by reference and requiring return of instructor certificate for an instructor who leaves the school.
15A-11.007	Agent Identification Cards	Rule Amendment	Update Rule	None	Covers the agent identification card original application and renewal	Incorporated form by reference.
15A-11.008	Driving Instruction Contracts	Rule Amendment	Update Rule	None	This gives the school and example of what a contract between a student and a school should look like.	Incorporated form by reference and specify the requirements for a driving instruction contract.
15A-11.009	CTDS Instructor Certificate Application and Renewal	Rule Amendment	Update Rule	None	Covers the truck driving school instructor (Chapter 1005, F.S.) original application and renewal	Incorporated form by reference.
15A-11.010	CTDS Instruction Vehicles	Rule Amendment	Update Rule	None	Covers the truck driving school instructional vehicle (Chapter 1005, F.S.) original application and renewal	Incorporated form by reference.
15A-11.011	Denial, Revocation or Suspension of CDS License, CDS, CTDS Instructor's Certification or Agent's Card	Rule Amendment	Update Rule	None	Covers the denial, revocation or suspension of CDS License, CDS, CTDS Instructor's Certification or Agent's Card	Expand the requirements for sanctions to protect public safety and the penalties for driver license fraud or misrepresentation.
15A-11.012	Forms	Repeal Rule				Repeal this section and all of the rule forms have been incorporated by reference throughout the body of the document.
15A-10.001	Purpose	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	explains purpose of rule	Amended language for clarification. Remove 322.293 and add 316.193, 322.291, 322.2715

**DHSMV - Motorist Services
2013-2014 Annual Regulatory Plan**

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15A-10.002	Definitions	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	definitions	Amend and remove language for clarification. Remove 322.293 and add 316.193, 322.291
15A-10.012	Financial Audit	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	All licensed DUI Programs shall submit a certified financial audit yearly to the Department	Amend and remove language for clarification. Remove 322.293
15A-10.013	Financial Procedures and Reporting Requirements	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	The licensed DUI Program shall account for all fees received.	Amend and remove language for clarification. Remove 322.293
15A-10.014	Cost Standards and Allocations	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Defines cost of operating a licensed DUI Program	Amend and remove language for clarification. Remove 322.293
15A-10.0141	<u>DUI Services</u> Fees	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Licensed DUI Programs can only charge fees approved by the Department	Amend and remove language for clarification. Remove 322.293
15A-10.017	Personnel Policies and Procedures	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	All job descriptions shall be placed in personnel file.	Amend and remove language for clarification.
15A-10.018	Client Files	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Allows for client files to be kept electronically as well as documents to be retained in client files	Amend and remove language for clarification. Remove 322.293

**DHSMV - Motorist Services
2013-2014 Annual Regulatory Plan**

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15A-10.021	<u>Client Student Conduct.</u>	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Licensed DUI Program is permitted to deny enrollment to any client who is unwilling to comply with the rules and procedures of the program	Amend and remove language for clarification
15A-10.022	Personnel Certification and <u>-Training Requirements</u>	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Provides licensed DUI Programs with guidelines regarding employee qualifications and training requirements for employees	Amend and remove language for clarification
<u>15A-10.0221</u>	<u>Clinical Supervision</u>	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Add section to rule	Outlines responsibilities for Clinical Supervisor of licensed DUI Program	Add section to rule
15A-10.023	Education	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Outlines classroom setting guidelines and procedures	Amend and remove language for clarification
15A-10.024	Level I Course	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets classroom size for Level I course to 30 students	Amend and remove language for clarification
15A-10.029	Special Supervision Services (SSS) and Statutory Eligibility.	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for licensed DUI Programs to determine if client is statutory eligible for SSS.	Amend and remove language for clarification.
15A-10.030	SSS Application and Evaluation Process	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for licensed DUI Programs to evaluate SSS applicant and required documentation for evaluation	Amend and remove language for clarification. Remove 322.293

DHSMV - Motorist Services
2013-2014 Annual Regulatory Plan

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15A-10.031	SSS Appeal Process	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for applicants to contest a determination of ineligibility.	Amend and remove language for clarification. Remove 322.293
15A-10.032	SSS Case Management Plan	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for licensed DUI Program to develop and revise case management plan.	Amend and remove language for clarification.
15A-10.033	SSS Military Leave and Florida Resident Temporary Relocation	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for SSS clients who are called to active military duty and temporarily stationed outside Florida	Amend and remove language for clarification
15A-10.034	Frequency of <u>Periodic Update</u> Appointments.	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for licensed DUI Program to reduce the frequency of appointments of SSS clients	Amend and remove language for clarification.
15A-10.035	SSS Missed <u>Periodic Update</u> Appointments.	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for licensed DUI Program to notify SSS clients of missed appointments.	Amend and remove language for clarification.
15A-10.036	SSS Violation of Restricted Licenses	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines when an SSS client is permitted to reapply for restricted license and readmission to SSS program	Amend and remove language for clarification.
15A-10.037	SSS Transfer Procedure	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for SSS clients to transfer to another licensed DUI Program	Amend and remove language for clarification. Add 322.293

DHSMV - Motorist Services
2013-2014 Annual Regulatory Plan

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15A-10.038	SSS Fees	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Licensed DUI Programs are only allowed to charge Department approved fees, with the exception of Department approved ancillary fees.	Amend and remove language for clarification.
15A-10.039	SSS Referrals to Treatment	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	SSS Programs shall consider the treatment referral criteria established in section 10.028	Amend and remove language for clarification.
15A-10.040	Case Monitoring Services	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	update section to permit a licensed DUI Program to provide case monitoring services for SSS applicants.	Amend and remove language for clarification.
15A-10.041	Denial, Suspension or Revocation of a DUI Program License or Personnel Certification and Probationary Status of a DUI Program License	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Set guidelines for denial of a DUI Program application and probation status	Amend and remove language for clarification.
15A-10.042	Complaints.	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Any complaint against a licensed DUI Program must be submitted in writing.	Amend and remove language for clarification.
15A-10.043	Forms	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997		Remove 322.293. Add 316.193, 322.291
15A-6.015	Failure to Appear	Rule Amendment	Technical Change	Certain "failures to appear" now controlled by s. 322.2615, F.S.	Per new statute, failure of arresting officer and/or breath technician to appear results in overturned suspension	Amend to clarify failure to appear with regard to arresting officer and breath tech

DHSMV - Motorist Services
2013-2014 Annual Regulatory Plan

Economic Impact	Highly Technical or Complicated
None	No
None	Yes
None	No
None	No
None	No
None	No
None	Yes

DHSMV - Motorist Services
2013-2014 Annual Regulatory Plan

Economic Impact	Highly Technical or Complicated
None	No
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None	No
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DHSMV - Motorist Services
2013-2014 Annual Regulatory Plan

Economic Impact	Highly Technical or Complicated
SERC	No
SERC	No
None	No
SERC	No
SERC	No
None	No
None	No
None	No

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DHSMV - Motorist Services 2013-2014 Annual Regulatory Plan

Economic Impact	Highly Technical or Complicated
SERC	No
None	No
None	No
None	No
None	No
None	No